Dec. (1928) Departm

Ordinary SERIES.

G.O. No. 2044

DATED 3 - 12 - 1928

[Despatch Abstract.]

Dev. Dept.

8/279 Dpo 26/9 o/m no 779 Dr. 26-9-28.

K 2660. 2/9

The C.C's attention is invited to the speeches of the members of the Legislative Council noted on the margin and the reply of the late Forest Member at page 243 of L.C.P. Vol XLI No 4 of 16-3-28 and he is requested to submit a detailed report on the various forest grievances of the S. Kanara Dt mentioned by the members of the Legislative Council referred to above. An early reply is requested.

(1) Mr. K.R. Karanth. (2) Mr. R.B. Shetty. (3) Mr. J.A. Saldanha. } pages 216–220 of L.C.P. Vol XLI No 3 of 15-3-1928.

24-9-28.

24/9/28.

To The C.C.F.

Dpty. Secretary
Dpty. minister
Date 28.9.1928.

Received 1/11

2

Dev. 3475 I
15-11-28

Refce. 8484-C2/28. Office of the Chief Conservator of Forests,
Chepauk, Madras, dated the 7th Novr. 1928.

From

A. Wimbush Esq., I.F.S.,
Ag. Chief Conservator of Forests.

To

The Secretary to Government,
Development Department.

15 NOV 1928
GOVERNMENT SECRETARIAT

Sir,

Subject:- Legislative Council question - South Kanara - submission of a detailed report.

Q.P. 1

Refce. Government memorandum No. 779-I/28-1 dated 26-9-1928.

The main requests contained in the speeches of the M.L.Cs. referred to in the Government Memorandum are dealt with below:-

(1) Roads in reserved forests may be declared porambokes.

The public have free access to forest roads in the same way as in the case of roads declared as porambokes. So far as the right of way is concerned there is materially no difference between a forest road and a poramboke road. Further on the Forest Committee's recommendation in 1912 a minimum width of ten yards has been allowed for all rights of way in reserved forests - vide paragraph 18 IV of G.O. No. 3020 Rev. dated 13-10-1913. This should be ample for practical purposes. No useful purpose would be served by declaring forest roads as porambokes and such procedure has no precedent in any of the other districts.

(V) Q.41

(2) That cattle straying from one Range to another may not be impounded.

(2) Q 4

This grievance has been redressed in G.O. No. 2201

Development dated 22-12-1927, in which Government have declared that cattle straying into adjoining Ranges to a distance of half a mile are not liable to be impounded.

(3) As the forests have been accelerating the spread of malaria they may be disreserved around villages.

In 1926 Mr. Tiernan enquired into this grievance in person, and found that the allegations were not true. A similar petition was received in September 1928 and the petitioners were informed that, as Mr. Tiernan had already enquired into their grievances and passed orders in 1926, there were no reasons to suppose that conditions had changed since then. Malaria is due more to the existence of swamps, marshes and stagnant pools than to forests. South Kanara abounds in such places outside reserved forests and as civilisation spreads it is, of course, manifestly absurd to judge the prevalence of a disease by the increased use made of hospital facilities.

(4) Proximity of reserves to private holdings.

Private holdings would presumably include arecanut lands also. Government have declared so far back as 1922 that they would be prepared to consider individual cases of hardship caused by the proximity of forests to villages (G.O. No. 30 Dev., dated 6-1-1922. And in practice all legitimate grievances under this head which are brought to notice receive attention. The case of South Kanara is somewhat peculiar. The Conservator has stated in connection with his proposals for further reservation in the Nileshwar Magannes of the Kasaragod taluk that, if the half a mile limit were to be strictly enforced in South Kanara, it would not be possible to form any reserves at all in South Kanara. Further the Special Forest concessions noted below granted to the ryots to a width of ½ a mile in the interior and 200 yards in the coastal reserves should go a long way to mitigate the hardships, if any, caused by the proximity of Forests.

a) Clearing of undergrowth in all reserves (except those near the coast) to a distance of half a mile from the limits of private holdings.

b) In the reserves near the coast clearing of undergrowth to a distance of 200 yards from the limits of private holdings.

(c) Clearing of undergrowth in all areas sown with hopea.

d) Free removal of

(i) Green manure leaves of unclassified species and dry leaves of all species.

(ii) Dead fuel.

e) Refund of half the grazing fee in reserves where the Forest village system has been introduced.

(1) if the reserves have not been burnt during the year, or if, in cases of accidental fire, the fire has been extinguished without delay and

(2) if illicit fellings have not taken place.

Besides the above concessions, the ryots of outh Kanara enjoy also the kumki privileges - vide Rule 7 of the general rules under section 26 of the Forest Act rinted at pages 36 - 40 of the Forest Manual - which should lso compensate for the hardships if any due to proximity of orests to private holdings.

5. Clearing of undergrowth may be done departmentally.

As stated above permission to clear undergrowth long the edge of reserves is one of the concessions granted o the South Kanara ryots. The M.L.C. however states that he people are unable to clear the undergrowth owing to ild plants which make the work difficult. But the clearing s purely for their own ends and to remedy their own rievance; when they decline to do the work, it can hardly e seriously suggested that public money should be spent n paying others to do it for them.

(6) Destruction of wild animals.

The attention of Government is invited to Government Order No. 407 Mis. dated 7-3-1928 in which they have permitted the villagers to hunt in reserved forests in the District from July to January. This should relieve them from the scare of wild animals.

(7) Supply of fuel, timber etc., by the Forest Department

As already stated, the South Kanara people enjoy the privilege under which they can cut and remove timber and fuel and graze their cattle in the kumaki lands. Besides this, they have permission to remove dead fuel from the reserves.

(8) Remission of grazing fees may be granted.

The remission of grazing fee is granted where the Forest Village system is in force, provided the protection of forests against men, fire and cattle has been satisfactory.

(9) Corruption of Forest subordinates.

The penalty for corruption cannot invariably be enforced in that the interested parties naturally refuse to give evidence.

2. With reference to the Hon'ble the Forest Member's statement that he would consider the question of fixing a maximum for compounding fees in individual cases of grazing offences, it is pointed out that on the recommendation of the Forest Committee of 1912 the compounding fee leviable in any one case has been limited to Rs.100/- vide paragraph 18 (ii) of G.O. No. [illegible] Rev. dated 13-10-13. In 1927 the Forest Advisory Committee recommended that the compounding fee should be limited to three times the grazing fee for open areas and five times for closed areas. This question was thoroughly examined and reported on by Mr. Fireman, as a result of which Government declined to accept the Forest Advisory Committee's recommendations - vide G.O. No. 747 Mis. dated 23-5-1927. There seems to be no reason to reopen the question of fixing a maximum for compounding fees for grazing offences, besides the maximum of Rs.100/- fixed in G.O.

6

No. 3020 dated 13-10-1913. (V) P.41

For Ag. Chief Conservator. 13.11.28

K.P.N/13-11.

13/11 13.11.28.

Dw: Dept

To Under Secy,

Please see the Budget motion above. The M.L.C. wants to discuss the forest policy and the forest grievances in the S. Kanara Dt. As regards forest policy, the point has been examined in connection with B.M. No 68.

As to forest grievances in S. Kanara, the M.L.C. has not specified what particular grievances he wants to discuss in this connection. One of the grievances which has been persistently brought to the notice of the Govt. by means of L.C. Questions is the hardship caused to the ryots by the ravages of wild animals — Vide Comis 1723 Dw: of 2-12-25, 1323 Dw: of 10-9-26, 1419 Dw: of 12-9-27, 318 Dw: of 21-2-28 and 407 Dw: of 7-3-28. The steps taken by the Govt. to minimise this danger are explained in the answer to Clause (b) of L.C. Question No 854 on page 4 of Comis 1723 Dw: 22-12-25. In connection with a recent

(I) (L) (H) (E) (R)

(I)

L. C. question on the subject, & in the course of supplementary answers, promised to consider the question of permitting ryots to hunt in the reserved forests of the S. Kanara Dt. — vide portion marked A on page 4 of Govt's 407 Dev. Dy 7-3-25. The C.C. and the Collector of S. Kanara who were asked to report on this point recommended that the permission asked for may be granted during the months of July to January. The Govt have accordingly sanctioned these proposals as an experimental measure — vide Govt's 407 Dev. Dy 7-3-25. This concession, if fully availed of by the ryots, would, to a large extent, redress their grievances in the matter.

Another point which has been brought to the notice of the Govt is about throwing open to cultivation cultivable areas included within reserved forests. The position as regards this point is explained in detail in C.C's report at pages 9-11 of Govt's 1270 Dev. Dy 6-8-27. In view of the circumstances pointed out in C.C's report, no further action was taken on this question — vide pages 16-17 of Govt's 1270 Dev Dy 6-8-27

There are also certain other grievances brought to the notice of the Govt. by way of memorials &c. and they are contained in the Proceedings of a meeting held at Srikkia,

(2) Petition of certain repts in Coondapur Taluk and

(3) Resolution passed at a public meeting held at Byndoor on 9-10-27.

Item (1) above.

The proceedings of the meeting referred to will be found at pages 2-5 of Letter No 860-I/26 dt 10-4-26. The grievances complained of and the orders passed thereon by the Govt are summarised in Answer to L.C. Question No 1992 on page 89 of Gazette 1210 dtd: 8th Oct-26. (1)

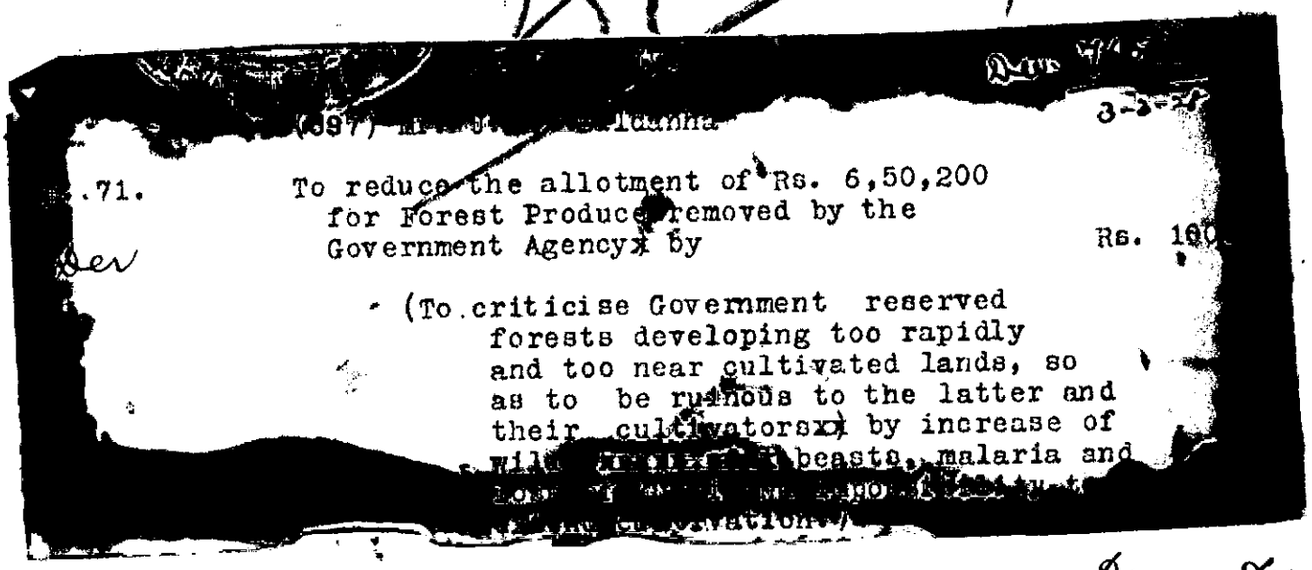
Item (2) above.

The memorial will be found at pages 5-17 of Gazette 900 dtd: 23-6-26. This memorial was transferred to the C.C. I.I.O. and the instructions issued by the C.C. on this memorial will be found at pages 5-6 of the said. (2)

Item (3) above.

The Resolution referred to will be found at pages 6 of Gazette 2169 dtd 17-12-27. (3)

2 & E — 14



(397) [illegible]

3-3-28

.71. To reduce the allotment of Rs. 6,50,200 for Forest Produce removed by the Government Agency by Rs. 100

(To criticise Government reserved forests developing too rapidly and too near cultivated lands, so as to be ruinous to the latter and their cultivators by increase of wild beasts, malaria and [illegible] Deforestation.)

Secy

Secy: Depts

To Under Secy

Please see the token motion above. The M.L.C. evidently wants to discuss the above points with reference to his own Dt., South Kanara. In this the S. Kanara Dt. it may be mentioned that during the past three years there has been no new additions to the existing reserved forests — But there are proposals to form certain new reserves with a view to protect these areas from the destructive effects of Kumri cultivation which. The necessity for the reservation of these areas are explained at some length in C.C's report at pages 3-4 of Comis 1623 Secy: of 13-11-26. The names of villages in which it is proposed to constitute new reserves are given in C.C's letter at page 5 of Comis 1135 Secy: of 25-7-27. The M.L.C. may perhaps be willing to [illegible] his motion if the necessity for the proposed reservation is explained to him.

(A) 24-25 — Vide Column 4 on page 36 of the Report Vol I (K)

(K) 25-26 — Vide Column 4 on page 36 of the Report Vol I (A)

(A) 26-27 — Vide Column 4 on page 36 of the Report Vol I (K)

(A)

(K)

Circular issued.

13-3-28.

S/C4

7-3-28

13.3.28

13.0

C4

Mr.K.R. Karant:- Sir, in supporting this motion, I wish to speak with reference to his policy only so far as it concerns the district which I represent and I only wish that some hon. Members of Government like the last speaker who knows about our district comes to answer the points which I am going to raise. The first point, Sir, is this. It was very interesting to hear the last speaker in his furious mood say that they followed a grand forest policy for the last forty years. I shall show what the policy has been so far as my district is concerned. First, I shall speak of the population and how it has been declining in the whole of this district. I can understand increase in revenue in other departments, but, is it the result of this policy for these forty years as we see from the budget? The income from forests is 51 and odd lakhs, and the expenditure 45 lakhs and odd. The net income is therefore 6 lakhs and odd. I ask the Government for this small profit whether it is necessary to tyrannize and give trouble to the people. I speak only with reference to my district because I do not know conditions elsewhere. The first thing in our district that is noticeable as a result of this policy is that the population has been steadily decreasing from census to census. In the last four censuses of the district, from 1881 to 1891, the increase in population was 10.1 per cent. From 1891 to 1901, 7.5 per cent. From 1901 to 1911, the increase of population is only 5.3 per cent. From 1911 to 1921, the increase is only 4.4 per cent.

is only 4·4 per cent. In all these four decades the general increase in the population in the district was 30 per cent only as against 37·3 per cent for the whole of the Presidency. I shall take hon. Members through certain statistics of villages which have got forest reserves and show that instead of increasing the population has decreased. In Albadi, the population in the last census of 1911 was 1,373 but in 1921 it was reduced to 1,284, a decline of about 100. In Kolluru the population in 1911 was 801 and was reduced to 688 in the last census. In Shankaranarayana where there is a local fund dispensary, it was 2,964 in 1911 and 2,961 in 1921. There are any number of other villages, whose statistics I can quote. I shall give some in the Uppinangadi taluk which contains large reserves. In Golithottu the figures are 693 and 676. In Guttigar 907 and 834; in Hatyadka 1,219 and 1,083; in Jalsur 1,243 and 1,102. In all these cases population has declined instead of increasing.

"I will not take the time of the House any further. I have only mentioned these to show that where there are large reserves the population has been steadily decreasing. A fortnight ago I visited a village at the request of the ryots there and I found that in certain parts the people are not cultivating fields for which they are actually paying an assessment. The grievance of the people is that where there are roads in forest areas Government do not take the trouble to make them poramboke. Another point was mentioned by my friend Mr. Harisarvottama Rao that where there are two blocks or ranges adjacent to each other if cattle stray from one area to another they are impounded.

"Then again about the question of the extension of the reserves. To a question of mine No. 768 put on the 31st March 1927 as to whether certain new reserves were being made or the limits of old reserves extended, whether the ryots had been consulted in the matter and if not why not, the Government replied that the procedure detailed in the Madras Forest Act is being followed and that that procedure does not contemplate any direct consultation with the ryots. And we who represent that district find that from year to year the reserves are increasing without any consultation, either with the ryots or with hon. Members here who represent them. Next I shall give a few figures to show how these forests have been affecting the health of the district. The cases of malaria treated by the dispensaries in our district as seen from the statistics furnished by the Government (vide Q. No. 411, dated 16th March 1927) are : 22,570 in 1922 and 59,183 in 1926. There are various other points which I may touch. But I do not wish to tax the patience of the House. These are matters which the Government should look into and remedy and not leave them to future generations for whom the hon. the Finance Member says he is a trustee."

* Mr. A. B. Shetty :—" Sir, during the budget debate of last year when several hon. Members of this House complained about the trouble, inconvenience and difficulties caused to ryots on account of the proximity of forests to their private holdings, Mr. Tireman said in the course of his reply that orders had been issued more than once that if any such cases were brought to the notice of the local officers, the facts should be reported to him so that he might take immediate steps to get the reserve lines removed. In the case of South Kanara I have been made to understand that it won't be possible to remove the reserve boundary further away from the limits of the cultivated lands on account of the zigzag nature of the village outlines and also on account of the belt of the reserves being not more than a mile or so in width except in the ghat sections. If this information is true and correct, South Kanara cannot hope to get this grievance removed.

If the reserve lines cannot be shifted, the next best thing to do is to clear the undergrowth in the forests to some distance from the ryots' holdings. The ryots in South Kanara have been given the privilege of cutting off the undergrowths in forests to a distance of half a mile in the interior places and 200 yards in the coast line but they have not availed themselves of this concession. The Forest Department must, therefor employ its own agency for clearing this undergrowth which gives shelter to wild animals. The damage to crops that is done by wild beasts in the fields near the forests is admitted by the Government. There are no statistics to show the extent of this damage and the ryots have to put up with it with no hope of any relief in any shape. The havoc done by the wild beasts to the cattle of the ryots in the proximity of forests is also admitted. The report of the Collector of South Kanara which was laid on the table of this House in reply to an interpellation of mine on 25th January 1928 shows that the number of cattle killed by wild animals has increased from 3,590 in 1924 to 4,250 in 1926. Yet the rewards given for destroying wild animals has been steadily decreasing. It has gone down from Rs.3,004 in 1922 to Rs.1,116 in 1926. The Collector says that this must be due to the instructions issued by the Revenue Board to the effect that rewards must be granted only in deserving cases. What exactly is meant by the term 'deserving cases' has not been made clear and the result is that rewards have been restricted. The destruction of wild animals is necessary for the protection of crops and cattle and for this purpose the Government should give rewards more freely and also give all facilities for people to hunt in the forests. From 1921 to 1926 only 27 persons in all seem to have been permitted to hunt in reserved forests. I trust that more encouragement will be given hereafter for villagers to organize hunting parties.

In South Kanara district concessions have no doubt been given to the ryots in the matter of removing dry and green leaves, fuel, etc., but as Mr. Harisarvottama Rao has just now told this house, the forest guards often harrass the ryots and unless they are paid their mamul they make false reports and foist cases on poor people. It will be a great hardship to the ryots especially near the coastal reserves, if these concessions are withdrawn on any grounds.

The hon. Mr. Moir speaking about the Forest department during the last budget debate said that the Government do not regard it solely as a revenue-making department and that they have never forgotten that its main object is to supply the needs of the people and it must pay attention to the fact that the ryots do require fuel, timber etc. and that they require grazing for their cattle. But, how far is this policy carried out in actual practice? Some time back in answer to a question of mine the hon. the Home Member who was then in charge of the Forest Department admitted that he had received representations from the ryots in South Kanara for total or at least partial remission of the grazing fees. But he expressed a fear that it won't be possible for Government to show any concession in this respect even to poor cultivating tenants. I hope, Sir, that in future at least Government will adopt a more sympathetic policy and see that the forest grievances of the people are redressed as far as possible.

15th March 1928]

* Mr. J. A. SALDANHA :—" Mr. President, most of the points have been dealt with by the two other hon. Members from South Kanara as I had myself through my questions and interpellations and through my speeches on previous occasions. The battle in South Kanara is a battle between wild beasts and human beings and in this battle the Government in the Forest department sides with wild beasts whereas the Revenue Officer never attempts to help the ryots. I can say that the ideals of the Forest department are good in theory but in practice the Forest department is to a great extent a curse to our district. As my friends have pointed out the population on the frontier of South Kanara on Mysore side is rapidly decreasing while the wild animals are increasing in a higher proportion than mankind with damage to crops. One great cause of this is the rapid spread of malaria. The answer given in explanation is that these figures of malarial cases treated were due to the fact that more people resorted to the hospital than before. I know poor people resort to hospital. But we know very well from experience that in villages near the ghats this increase of malaria is due to the excessive development of the forests. We have to be thankful to the Forest department for the development in forests but it must not be at the cost of humanity. Humanity is much more important than the forest and the wild animals they breed. If forests lead to destruction of crops and humanity surely the Forest department must see that this is stopped. I once took evidence of the villagers at Hospet near Mudibidri in Karkal taluk, South Kanara, in the presence of the District Forest Officer which showed that almost all the cows in those villages had been destroyed and there was hardly any cow left there with the result that ghee and other products well-known in Kanara for their purity are unknown now. When the officers of the Forest department disbelieved the stories of the people, they challenged them to get, say, one seer of milk from their villages, from which so much of cows-ghee were once exported. After the villagers had proved to the hilt that almost all cattle had been carried away by wild animals, to the number of 150 cows in three years, the Forest Officer made the recommendation of allowing a certain belt without trees between the forest and the cultivated area about quarter of a mile. The burden of clearing the area was however put on the people. These villagers would have been glad to cut down these shrubs and trees but there is a wild plant that grows very rapidly. It is of such a nature that it is impossible for the poor people to get rid of it, as a good deal of painful labour is necessary. The villagers would have to devote disproportionate labour and time for that year after year and to neglect the cultivation in order to get rid of that. This was not the only difficulty. The removal of the green leaves is made conditional on the removal of this and other wild growths. So these restrictions practically have rendered the privilege of removing green leaves as well as dry leaves of the forest nugatory. I do not want to dwell upon what the other hon. Members have said. I have spoken about them in the past. I hope the Government will carefully consider these matters. We have promised to go ourselves with the Forest Member whoever he may be to look into these grievances. We find very little time to study these questions with all our local and municipal problems. There are however broad facts which can be easily established. So far as the villagers are concerned, I shall give an instance. At Hospet near Mudibidri the people mostly Christians were once prosperous and built one of the finest churches in their village. Now with the growth of the forest it is probable

24

The Hon'ble Mr Arthur E. Campbell.

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The hon. Members from South Kanara invited me to visit their district and see for myself the disabilities from which the people are suffering. It is not possible for me to do so during the short time I expect to be in charge of this portfolio. I may, however, assure the hon. Members that their case will receive the sympathetic consideration of the Government. Orders have already been issued allowing the people to go into the forest and shoot pig without getting any special permit from the Forest officers. They have only to obtain licences for possession of arms. I hardly think that it is fair to blame the forests for the prevalence of malaria. Madras itself had a severe attack of malaria some years ago though there are no forests here. So malaria cannot be attributed to the existence of forests in the immediate neighbourhood.

To under Secy

Please see extracts of Council Proceedings at pages 6-11 supra and the late reply of the late Hon. Forests alone. In view of Hon'ble's reply at A above a detailed report may be called for from the C.C. on the various points raised by the M.L.Cs. A draft D.O. to the C.C. is submitted.

Pls.
24-9-28.

26/9/28

Sent for issue
26/9.

[G.O.No.979-I-28.1 dt 26.9.28
From the C.C.F. 8484-C2/28 dt 15.11.28.]

Please see C.C's reply at P.P 2-6 Cf.

The govt. have not been unmindful of the grievances specified

Please Circulate
29/11
cir 30/11
Rec 1/12

Record.
1-12-28

33/3/88 further action seems to be called for. The papers may perhaps be recorded.

27/11/88

May be recorded

25/11/88

Shefp.12 mtg

Q-o refs 2044 & 3-1288

Abstract

Tickets

Leg Cmte -

Budget action -

Court grievances

Papers recorded